

# OUTSOURCE NEWS FOR THE LEGAL OFFICE

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## The Automatic Update Snafu



### Think Twice Before Allowing That Innocent Looking Update:

I'm not known to be the first one to jump on "new" or improved software, especially when it comes to Windows. Instead, I wait quite a while for all the bugs/fixes and other issues to be worked out.

I'm running Win2000Pro and WinXP on my computers — no thanks when it comes to Vista — don't want it and don't need it.

A few months ago my husband was at his computer in the other room. He yelled out asking about the SP3 patch download. I told him no, that SP2 was fine. Before allowing me to finish, he yelled back that he was downloading it. Fine, do what you want, but I'm not going to download it on \*my\* computer.

SP3 (for XP only) is huge, and it took more than 45 minutes to install (and that's with high-speed broadband — can't imagine trying it with dialup). He had no errors with the SP3 installation on his laptop, except that now he can only use wireless for his computer to be fully functional — something that we didn't know about until later.

For a couple of days he kept hounding me

to install the SP3 \*fix\* on my desktop — telling me that if I didn't install it, I wouldn't be able to get any further Window updates. Tired of listening to him, and against my better judgment, I hit the little yellow exclamation badge and allowed my computer to go for it.

After about 30 minutes, the installation stopped. An error popped up saying that a problem had been encountered, installation could not be finished, and that the update would be removed — and let's not forget the most important message "**Your computer may not work properly**" — what an understatement that was.

I lost Internet, I lost email, none of the computers were networked through the

router any longer — with the SP3 @\$!#%, I was set back 20 years in time.

I worked on my desktop and laptop, copying files to CD to/from both computers and emailing from my laptop.

Googling I discovered numerous people in the same boat as me — although some were worse, I suppose, as SP3 caused their hard drive to crash and losing anything not backed up. Some had to reformat and reinstall everything from scratch on the crashed drive — others had to buy a new drive. I have printed off no less than a ream of paper of "fixes" from my Internet research.

Three steps forward and five steps back — in looking at Microsoft's site, it advises to back up your registry before the

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## Throw Away Shoes — or placing a price on value

I know a woman who has probably 25 pairs of shoes in her closet. She buys her shoes at a low-cost outlet and brags that she never pays more than \$10.00 a pair. In her eyes, if they withstand her wearing them three times, she is getting her \$10.00 worth and that she is owed nothing.

The difference between us is that I have three pairs of shoes in my closet — black, brown and blue. Okay, I'm practical. I paid well over \$10.00 a pair; however, my shoes are over five years old. They are well-made and the workmanship is exceptional, and they have many more years of wear. I pay

more per pair, but she spends more overall. So who is the value shopper?

Your charge rate as a lawyer reflects on you, your clientele, your track record, your experience and your expertise.

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installation — well, this might be fine and dandy, however, if your downloads are set for automatic, you aren't asked or given the opportunity to backup.

SP3 is \*supposed\* to address security issues. The problem encountered with the download is because some computers/networks with firewalls and virus software are not allowing certain portions of SP3 entry.

Microsoft's solution to installing the update is to turn off virus software and firewalls — yeah,

right, let your computer shout to hackers and every other undesirable soul, *"hey, my ports are open, I have no security weapons — just come in and do with me what you want!"*

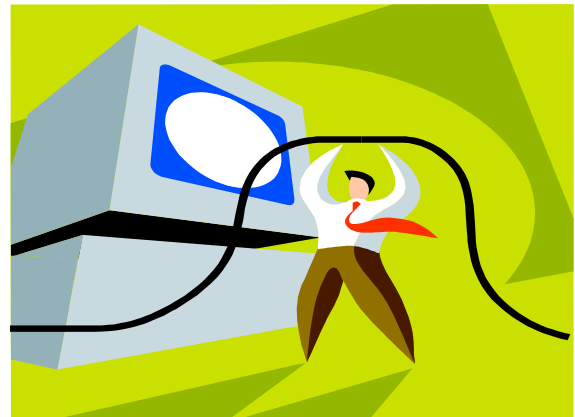
I've been dealing with this mess since August. It is mid-October, and I'm just now getting my computer back to normal and the way it was in July.

Microsoft is admitting no guilt. However, they are offering free support to help \*fix the problems\* until April 2009. Since they were the ones that caused this mess to be-

gin with, I chose to fix it on my own.

You can make your own decisions about SP3. However, if you decide to take the leap, make certain you have your registry backed up, because if your computer/network is the one that decides it doesn't want anything to do with SP3, you will certainly need the backup — as it will save **A LOT** of hair pulling and cursing!

This is the last time I listen to my husband, as well, when it comes to \*my\* computers.



## Hourly, Line, Page, Character

There are all sorts of transcriptionist charge rates out there.

Some charge by the line or the page — but just what constitutes a line or page? I've seen sites that state page margins of 1-1/2 to 2", and font sizes of 13 or 14 point, and bumping the spacing up to 1-1/2 — making for more pages and more lines — and more cost to you. In my opinion, a client rip-off spelled price gouging.

As for character pricing, you pay for every key-stroke — character, symbol, punctuation, space bar, shift key, tab key, line/paragraph return.

With page and line charges, you can be charged for each page header/footer and page number — even though it only has to be typed once, and then the software automatically inserts on each page.

Don't be fooled — if the price looks and sounds too good to be true, it

probably is!

I've always charged hourly — a rate that is fairer all around. If the audio/video is clear and audible, it takes me less time, and you get it back quicker — faster for me and less money for you. If poor quality, it will take more time and you will pay more.

With my transcripts, you get not only a machine spell check, but proof-read against the audio/video word-for-word.

Until I hear the audio/video, I am unable and unwilling to give a total quote or cost over the phone. Some prospects/clients try to back me into a corner so I will commit to a character/line/page quote before I begin the transcription.

Actually, during the month of September, I lost two large transcription projects simply because I wouldn't give a total/firm price ahead of time. I had worked with neither caller before. One project was 75 in-

terviews where they wanted to dictate the cost and pay a volume discount of 5 cents per line — the other was a discussion group with 17 participants. The discussion was recorded using a laptop built-in microphone/speaker placed in the center of the group.

*There are just too many variables and uncertainties involved in a recording to commit to a flat price without first listening to the audio.*

I can usually give you a pretty good "spot-on" quote after listening for 15-30 minutes.

As a ball park quote, you can expect one hour of audio/video taking on the low side of 3:1 and on the high side of 8:1 (i.e., one hour audio equals 3-8 hours of input and proofreading time).

My transcripts are certified as to being a true and correct copy of the original audio/video. You can be assured of a quality product because my name, as well as your name, is on each transcript.

*I proof word-for-word against the audio/video — does a transcriptionist charging by line, character or page even proofread?*

## Working from HOME

I've been self-employed, or as my husband sometimes refers to as unemployed since 1992.

I've had ups and downs and with technological advances, have changed my business niche several times. In the beginning, I accepted *anything* and *everything* needing typed.

I had a modem and used ProCom to transfer files — as there was no Internet, no email, no websites to Google or “how to” guides or books for startup secretarial/transcription services.

Prodigy and Compu-Serve were the big hits “back in the day.” I stumbled upon a forum of people wanting to do the same as me. Monthly connection charges were by the minute, so we learned to be frugal.

Offsite secretarial/transcription services were unheard of in the late '80's and early '90's.

As pioneers, we were not cut-throat entrepreneurs. We shared and critiqued marketing materials — but we never stole someone else's idea. We devised busi-

ness plans and honest and fair charge rates — knowing that someone wasn't going to undercut us just to get work or “some experience.” None of us were threats to the other. Friendships were formed and are strong today — even though many of us have never met face-to-face. Those were the Good Ol' Days!

Today we still bounce ideas off of one another, ask what the other would do in a certain situation and complain about “newbies” who pull rates out of the air — having no idea why or how the figure reflects on the cost of doing business — or have never heard of self-employment/quarterly taxes, believing that the money is free and clear — or knowing about tax requirements, but electing to ignore them and work under the table. Some have never transcribed audio before — have no idea what equipment is needed, other than a computer and some are using boom boxes.

Much of the transcription work of today is farmed or subbed out — *(continued...Home, pg. 4)*

## All transcriptionists/transcripts are not created equal

I hung out my shingle in 1992 because of the work ethics and poor work quality of temps the agencies were sending to law firms.

It's 2008, nearing 2009, and the work quality and working ethics of transcriptionists makes my teeth cringe like a scratching fingernail on a blackboard.

The following are **EX-ACT** quotes taken from an Internet transcription forum of professional transcriptionists (*my*

*comments appear in red*):

- “I confess that I only proof on new accounts or occasionally if I feel some particular audio file is of some kind of importance.”

*[excuse me (with hand waving in the air), who are \*we\* as transcriptionists, to make the decision as to what is “some kind of importance?”]*

- “The first 2-hour re-

ording took me about 8 hours to transcribe, plus another 2-1/2 hours to proof. We're looking at less than minimum wage here.”

*[excuse me again — maybe, just maybe, if you didn't offer low-ball rates, but instead charged a rate above the poverty level, you'd be making a lot more than minimum wage.]*

- Nevertheless, if I proofed every file to audio, we'd be living under a bridge somewhere.”

*[ditto above—know the true cost of being in business and charge accordingly]*

*(continued...equal pg. 4)*

*(continued-value, pg. 1)*

In comparison, my charge rate as a transcriptionist is no different than your own. Of course, our hourly rates are not the same, although we are both after the same thing: giving clients the best service possible, the best work product, the best of our experience, the best of our expertise, the best of

our knowledge, and the best of our skills.

When building a client base, it is necessary to eliminate the people who weren't going to pay us to begin with (the Lookie Lou's). The value we are providing may go unnoticed, until the price is quoted or time to pay — that is when the client or undecided prospect has second



thoughts as to the value of our service.

We can all work towards becoming recession proof: we have to eat, but not necessarily in a restaurant; we have to commute, but not necessarily in our own car — some people, from no fault of their own, will always need legal counsel, and will define their own value for their needs.

Who knows when this economic roller coaster will stop? We can all shed some fat from our operating budgets. However, when belt tightening, take precautions that you don't end up hiring the lowest value transcriptionist to save a few dollars.

Why do some transcriptionists place such a low value on their skills?

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I refuse to farm work out because of client confidentiality/attorney-client privilege and identity theft. To me, farming/subbing the work out is a security breach.

You can be guaranteed that I am the only one with access to work product. My computers and router are virus, fire-wall and password protected. My office is locked when I'm not working and equipped with a cross-cut shredder.

Working from home allows me to set my sched-

ule to guarantee project completion — not a set 9-5 day.

This spring my Mom had knee replacement and in September, she had a hip replacement. Being self-employed has allowed me to spend time with her *bionic* recoveries and actually get to know her — listen to her stories of 83 years, that I've never had time to hear before, and just give back a little. Even though I sometimes have to work through the night to meet project deadlines after spending time with Mom — as an

employee, I would never have been allowed the opportunity to re-connect with Mom or to set my own hours. I know because I wasn't able to do so with my Dad.



*(continued-equal, pg. 3)*

- “I normally do not proofread to audio unless it's new or difficult (because I charge more for difficult audio.”

*[ditto, ditto page 3. I have one hourly rate — it doesn't matter if project is easy or difficult. Easy takes less time and difficult more time—I don't see the need to have umpteen different charge rates]*

- I can proofread a one-hour audio in 45 minutes.”

*[this either assumes you are “perfect,” or you aren't actually proofing against the audio]*

- I think most clients (no mater what field) think that transcribing is quick and easy and they don't want to pay a mere typist for any skills beyond just typing.”

*[While I do get calls from people having no idea how long it will take, clients that value quality know that I'm not a mere typist and will pay for skills beyond \*just\* typing]*

A great transcriptionist has to have an “ear” that listens AND hears, and proud of a quality product, because their name is on the transcript — they have to know the cost of doing business and charge a rate that not only allows them to live and survive, but allows them to purchase supplies, upgrade equipment, continue with education to stay abreast of technological changes, pay taxes/business licenses, insurance, vacations/sick days, and plan for retirement.

## WANTED: News About Your Firm

I am looking for news — whether it be office moves, expansions, new hires, a big case just won ...

We all deserve a pat on the back and like to see our name in print. Let me know what's happening with your firm, upcoming dates — anything you'd like to say and use my newsletter to spread the word.

If you've recently updated office equipment and looking to sell the old equipment, let me post it.

If you're looking to buy something, let me know and we'll see if it's something some firm has sitting and gathering dust.

*If you're happy with the quality of my work, pass the word on — if you're not happy, WE NEED TO TALK!*

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